

Appl. No.: 09/822,822  
Amendment dated March 9, 2005  
Reply to Office Action of September 15, 2004

### **REMARKS**

The office action of September 15, 2004, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 2, 15, and 22 have been amended. Claims 9-14 and 16-21 have been withdrawn. Claims 36 and 37 have been added. No new matter has been entered.

#### **Objection to the Abstract**

Applicants amendment the abstract in response to the Examiner's objection. Applicants submit the objection has been overcome.

#### **Rejection Over Ahmed**

Claims 1, 2, 15, and 22 stand rejected under 35 U.S.C. 102 over Ahmed. Applicants traverse.

Claim 1, as amended, recites:

“wherein said base stations encapsulate and de-encapsulate packets.”

Ahmed fails to disclose the system as now claimed. Rather, Ahmed uses IP-in-IP encapsulation between mobile terminals or between mobile terminal and another node in the network. The base stations in Ahmed do not always perform encapsulation/de-encapsulation as claimed. In fact, Ahmed forces the mobile terminals to perform encapsulation/de-encapsulation of packets then send the encapsulated packets to the base stations for further transmission. As Ahmed fails to disclose claim 1 as amended, claim 1 is allowable over Ahmed.

Claims 2, 15, and 22 have been similarly amended and are also believed allowable.

New dependent claims 36-37 are believed allowable as being dependent on now allowable independent claims.

#### **Rejection over Ahmed in view of La Porta et al.**

Claims 3-8 and 23-35 stand rejected under 35 U.S.C. 103 over Ahmed in view of La Porta et al. Applicants traverse.

Claim 3 recites:

“ wherein packets from said correspondent host are

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transmitted to said first base station, wherein said packets are encapsulated with a header and sent to said second base station, and wherein said header is removed from said packet and the content of said packet is transmitted to said mobile station."

The Examiner acknowledges Ahmed is silent on creating and transmitting new headers between communicating nodes. The Examiner relies on La Porta et al. to teach "packet tunneling associated with a CDMA wireless mobile communication system."

Applicants traverse the combination as it fails to teach or suggest the recitations of claim 3 as originally presented. Ahmed fails to teach or suggest de-encapsulation in the base stations. Similarly, La Porta et al. fails to teach or suggest de-encapsulation in the base stations. Rather, with respect to La Porta et al., de-encapsulation is performed in the mobile terminal in an embodiment used in the document. See column 33, lines 55-58 where the mobile device 608 receives an encapsulated packet and the packet is de-encapsulated by an integrated foreign agent 610. See also Figures 19 and 20.

Accordingly, as each of Ahmed and La Porta et al. teach de-encapsulation in the mobile terminals while claim 3 specifies that the de-encapsulation occurs in a base station and that the Examiner has not addressed this deficiency in the references, Applicants submit claim 3 is allowable over the combination.

Independent claims 23 and 30 include similar recitations and are believed allowable over the combination. Dependent claims 4-8, 24-29, and 31-35 are allowable over the combination.

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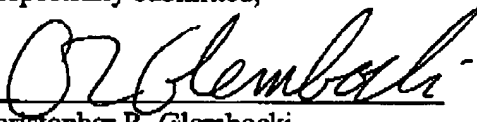
The fees associated with new claims 36 and 37 are authorized to be charged to deposit account no. 19-0733. If any additional fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

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Dated: March 9, 2005